

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, KNOWN AS THE "PALM BEACH COUNTY PARKS AND RECREATION ORDINANCE"; REPEALING PALM BEACH COUNTY ORDINANCE NOS. 76-9, 82-11, 83-12 AND 84-7 IN THEIR ENTIRETY; PROVIDING FOR RULES AND REGULATIONS FOR ALL RECREATION AREAS OPERATED AND MAINTAINED BY PALM BEACH COUNTY; PROVIDING FOR DEFINITIONS AND AUTHORITY; PROVIDING FOR CONTROL OF PARK TRAFFIC, PROPERTY, WILDLIFE, AND RECREATIONAL ACTIVITY; PROVIDING FOR CERTAIN RECREATIONAL ACTIVITIES BY PERMIT ONLY; DEFINING PROHIBITED ACTS; PROVIDING FOR SANITATION AND POLLUTION CONTROL; PROVIDING FOR PUBLIC UTILITY REGULATION; PROVIDING FOR PARK HOURS; PROVIDING FOR ENFORCEMENT OF TRAFFIC REGULATIONS, PARK RULES, AND PERMIT REGULATIONS; PROVIDING PENALTIES AND PROSECUTION; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES OF PALM BEACH COUNTY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 125.01(f), Florida Statutes, grants Palm Beach County the power to provide parks, preserves, playgrounds, recreation areas and other recreational facilities for the welfare of its citizens; and

WHEREAS, the Board of County Commissioners of Palm Beach County finds it necessary to promulgate rules and regulations for the use of its parks and recreational areas so as to provide for the effective utilization of such areas.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

SECTION 1. SHORT TITLE

This Ordinance may be cited as the "Palm Beach County Parks and Recreation Ordinance."

SECTION 2. DEFINITIONS

The following terms when used in this Ordinance shall have the meanings ascribed to them in this section:

(A) BATHING BEACH, WATER AREA, OR POOL. Any beach, bathing area or pool designated by the County Commission as such, in or at any park, either on the ocean or inland, including the actual sand beach, if any, and the adjoining land area, as well as the adjacent waters used for bathing and swimming.

1 (B) DEPARTMENT. The term "the department" when used
2 hereinafter is defined as the "Palm Beach County Parks and Recreation
3 Department".

4 (C) DIRECTOR. The terms "director" or "Parks Director" when
5 used hereinafter are defined as the "director of the Palm Beach County
6 Parks and Recreation Department".

7 (D) PARK. The terms "park," "parkways," "recreational areas,"
8 "natural areas," "marinas" and "areas operated and maintained by the
9 department" are defined to mean parks, wayside parks, parkways,
10 playgrounds, recreation fields, golf courses, community centers, museums,
11 auditoriums, ranges, lakes, streams, canals, lagoons, waterways, pools,
12 water areas and beaches therein and all public service facilities
13 conducted on grounds, buildings and structures in Palm Beach County which
14 are under the control of or assigned for upkeep, maintenance or operation
15 by the department.

16 (E) PARKING AREA. Any designated part of any park road, drive
17 or special area contiguous thereto that may be set apart for the standing
18 or stationing of any vehicles and marked accordingly.

19 (F) PARK PROPERTY. The term "park property" when used
20 hereinafter is defined to cover all areas, buildings, locations and
21 facilities described in the foregoing paragraph "D".

22 (G) PERMIT. The term "permit" means a document or certificate
23 provided by the department granting permission to conduct and/or take
24 part in a specific activity at a specific location.

25 (H) PERSON. The word "person" includes natural persons,
26 firms, associations, joint ventures, partnerships, estates, trusts,
27 business trusts, syndicates, fiduciaries, corporations, and all other
28 groups and combinations.

29 (I) VEHICLE. The term "vehicle" means any wheeled conveyance
30 (except a baby carriage or wheelchair) for transportation of persons or
31 materials whether: (1) powered or drawn by motor such as an automobile,
32 truck, motorcycle, scooter, minibike, or recreational vehicle; (2)
33 animal-drawn such as a carriage, wagon, or cart; (3) any self-propelled
34 vehicle such as a bicycle, tricycle, or skateboard; or (4) any trailer in

1 tow of any size, kind or description. "Vehicle" does not include any
2 recreational or park transportation service, on rails or otherwise, where
3 especially authorized by the Board of County Commissioners.

4 SECTION 3. REGULATION OF VEHICLES WITHIN PARKS

5 (A) All applicable State vehicle laws and municipal traffic
6 ordinances in those parks and recreation areas located within
7 municipalities shall be applicable in all park property.

8 (B) All law enforcement officers and such park personnel as
9 are authorized and designated by the director shall direct traffic
10 whenever needed in the park areas and on highways, streets, or roads
11 immediately adjacent thereto in accordance with the provisions of these
12 regulations and such supplementary regulations as may be issued
13 subsequently by the Board of County Commissioners.

14 (C) All persons shall carefully observe and obey all traffic
15 signs indicating speed, direction, caution, stopping, or parking, and all
16 other signs posted for proper control and the safeguarding of life and
17 property.

18 (D) Where a public road traverses a County park, said road
19 shall be open to all through traffic permitted on any County road or
20 highway, but such through traffic shall conform to park speed and traffic
21 regulations, and vehicles otherwise not permitted to operate in park
22 areas shall not stop therein except in case of emergency.

23 (E) No person driving, operating, controlling or propelling
24 any vehicle whether motorized, horsedrawn, or self-propelled, shall use
25 any other than the regularly designated paved or improved park roads or
26 driveways, except when directed to do so by a law enforcement officer or
27 department employee or by official signs or markings. No driver or
28 operator of any vehicle shall obstruct traffic or park or stop on any
29 road or driveway except those places so designated.

30 (F) No person shall park a vehicle on park property at any
31 place other than in the regular designated facilities provided for that
32 particular type of vehicle, unless directed otherwise by officers or park
33 attendants who are authorized to designate other areas for parking when
34 conditions so warrant. No driver or operator of any vehicle shall

1 obstruct traffic or park or stop on any road or driveway except those
2 places so designated.

3 (G) No truck, commercial vehicle or bus shall be driven on any
4 restricted park road or property without prior authorization from the
5 department for the purpose of park work, service, or activities except
6 that trucks and buses used for transporting persons to a park for
7 recreational purposes may be afforded use of ingress and egress park
8 roads and parking facilities as provided for conventional passenger
9 vehicles.

10 (H) No person shall ride, drive or propel any bicycle,
11 motorcycle, scooter, minibike or similar vehicle on any but the regular
12 vehicle roads except that such vehicles, with motors shut off, may be
13 pushed by hand not faster than a walk over grassy areas, wood tracks or
14 specially designated paved areas. The designated bicycle trails shall be
15 used only by pedestrians and the above described vehicles propelled by
16 human power and it is expressly provided that no bicycles, motorcycles,
17 scooters, minibikes, or similar vehicles shall be ridden on the
18 designated nature trails located within Palm Beach County parks. No
19 person shall deviate from compliance with all State, County and municipal
20 traffic laws and regulations governing the operations of the above
21 vehicles while on park property. When riding, bicycles shall at all
22 times keep to the right-hand side of the road as close as conditions
23 permit and keep in single file when two or more bicycles are operating as
24 a group. No person shall ride a bicycle on any parkway, road, street or
25 drive between thirty (30) minutes after sunset and thirty (30) minutes
26 before sunrise without an attached headlight plainly visible at least two
27 hundred (200) feet from in front of the bicycle and without a red tail
28 light or red reflector plainly visible at two hundred (200) feet from the
29 rear of such bicycle.

30 (I) No operator of a vehicle shall tow another vehicle or
31 wheeled device on park roads except when the towed vehicle is used in
32 transporting a small boat into a marina or other designated area or when
33 necessary to remove a disabled vehicle. No vehicles shall be allowed to
34 carry passengers for hire or for fare within any park unless prior

1 authorization has been granted by the department. No person shall change
2 any parts, repair, wash or grease a vehicle on any park roadway, parkway,
3 driveway, parking lot or other park property. No driver of a vehicle
4 using gasoline or any other explosive mixture as source of power shall at
5 any time fail to use an adequate muffler or otherwise deaden the sound of
6 explosions.

7 SECTION 4. BUILDINGS AND OTHER PROPERTY

8 (A) No person shall wilfully mark, deface, injure in any way,
9 displace, remove or tamper with, any park building or buildings, bridges,
10 tables, benches, fireplaces, railings, paving or paving materials, water
11 lines or other public utilities or parts of appurtenances thereof, park
12 signs, notices or placards whether temporary or permanent, monuments,
13 stakes, posts, or other boundary markers, or other structures or
14 equipment, facilities or park property or appurtenances whatsoever,
15 either real or personal.

16 (B) No person shall dig, move or remove from any park area any
17 beach sand, soil, rocks, stones, trees, shrubs, whether submerged or not,
18 or plants, down-timber, or other wood or materials, or make any
19 excavation by tool, equipment, blasting or other means or agency, or
20 construct or erect any building or structure of whatever kind whether
21 permanent or temporary in character, or run or string any public service
22 utility into, upon, or across such land, except with the prior written
23 approval of the director.

24 SECTION 5. FIRE

25 No person shall build or attempt to build any fire or fires against or
26 adjacent to any park building or other structure, tree or any park
27 property whatsoever, or against or on any property of others, except in
28 such areas where fireplaces are provided and under such regulations as
29 are or may be specifically set forth by the Board of County Commissioners
30 or the director. No person shall drop, throw, or otherwise deposit
31 lighted matches, burning cigarettes or cigars, tobacco paper, or other
32 inflammable material within any park area or on any highway, road or
33 street abutting or contiguous thereto.

1 SECTION 6. PLANT AND WILDLIFE PROTECTION AND PRESERVATION

2 (A) Within any park, no person shall cut, carve, or injure the
3 bark, or break off limbs or branches or mutilate in any way, or pick the
4 flowers or seeds, of any tree, plant or shrub, nor shall any person dig
5 in or otherwise disturb grass areas, or in any other way injure or impair
6 the natural beauty or usefulness of any area, nor shall he pile debris or
7 material of any kind on or about any tree or plant, or attach any rope,
8 wire, or other contrivance thereto, whether temporary or permanent in
9 character or use, without prior approval by the department. Within any
10 park, no person shall transplant or remove any tree or plant or part
11 thereof, or collect or remove flowers, without prior approval from the
12 department. No person shall tie or hitch a horse or other animal to any
13 tree or plant within any park.

14 (B) No person shall molest, harm, frighten, kill, trap, hunt,
15 chase, shoot or throw missiles at any animal; nor shall any person remove
16 or have in their possession the young of any wild animal, or the eggs or
17 nests or young of any reptile or bird; nor shall any person collect,
18 remove, have in their possession, give away, sell or offer to sell, or
19 buy or offer to buy, or accept as a gift, any specimen alive or dead of
20 any of the group of tree snails.

21 SECTION 7. BATHING AND SWIMMING

22 (A) No person shall swim, bathe, or wade in any waters or
23 waterways in or adjacent to any park, except in such waters and at such
24 places as are specifically designated, and in compliance with such
25 regulations as to hours of the day and safety limitations for such use as
26 set by the department. Areas where swimming is permitted shall be
27 designated by official signs and markings.

28 (B) No person shall erect, maintain, use or occupy on or in
29 any beach or bathing area any tent, shelter or structure of any kind
30 unless there shall be an unobstructed view into said tent, shelter or
31 structure from at least one side.

32 (C) In each and every bathing area, all persons shall be so
33 covered with a bathing suit so as to prevent any indecent exposure of the
34 person. No person shall dress or undress on any beach, or in any other

1 place in any park area, except in such bathing houses or structures as
2 may be provided and maintained by the department for that purpose.

3 SECTION 8. BOATING

4 (A) All provisions of Chapter 327, Florida Statutes, shall
5 apply to County recreation area waters. In addition, the following
6 regulations shall apply to such waters:

7 (1) No person shall bring into, launch or operate any
8 boat, yacht, cruiser, canoe, raft, houseboat,
9 personal watercraft (as defined in Section 327.02,
10 Florida Statutes) or other watercraft whether motor
11 powered or not, upon any park water course, bay,
12 lagoon, lake, canal, pond or slough except at such
13 places as are or may be designated for such use or
14 purposes by the Board of County Commissioners or the
15 director. Such operation or use shall be in
16 accordance with such regulations as are now or may
17 hereafter be adopted.

18 (2) No person shall moor, anchor or tie up to the bank
19 or any wharf, dock, tree, building, rock or any
20 object or structure on the bank in waters within or
21 contiguous to any park within two hundred (200) feet
22 of the shoreline unless he does so in pursuit of
23 recognized recreational activities of a temporary
24 nature or unless the owner, or the owner's
25 representative, of the boat, houseboat, barge,
26 vessel, ship or watercraft of any kind whatsoever,
27 has obtained written permission from the department,
28 except that if the boat or ship is the property of
29 the government of the United States, or is in
30 distress, or is tied up to dock in a designated
31 day-docking area, or ties up at a dock, wharf, or
32 pier designated for such purpose, and then only long
33 enough to enable the occupants to obtain food, fuel,
34 water, bait, tackle, or marine supplies.

1 (3) No person shall navigate, direct, or handle any
2 vessel in such manner as to unjustifiably or
3 unnecessarily annoy, frighten or endanger the
4 occupants of any other vessel or persons in the water
5 or on the shore. All motorized vessels must be kept
6 out of the way of sailboats, rowboats, canoes, or
7 other unmotorized vessels. Rowboats, canoes, and
8 other hand-operated boats must avoid sailboats and
9 all due diligence and caution must be used to avoid
10 collision with other vessels.

11 (4) No person shall launch, dock or operate any vessel
12 of any kind on the waters of any park between the
13 closing hour of the park at night and opening hour
14 the following morning, nor shall any person be on, or
15 remain on or in, any vessel in the park during the
16 said closed hours of the park, except with prior
17 written approval granted by the director.

18 (5) No person shall launch any boat or watercraft of any
19 kind, whether motorized or not, from any park
20 property except in areas specifically designated for
21 that purpose by the department.

22 (6) The following additional regulations for the
23 operation of vessels in County park lakes and
24 waterways are hereby adopted:

25 a. No boat motor shall be started without a
26 competent operator at the controls inside the
27 boat.

28 b. Boat operators shall be held responsible for
29 their own wake and liable for any damage it may
30 cause.

31 c. An overtaking boat shall pass to the port (left)
32 side of the overtaken boat.

33 d. Boats on opposite and parallel courses shall
34 pass to the right by keeping the other boat on

- 1 their port (left) side.
- 2 e. When boats approach each other obliquely or at
- 3 right angles, so as to involve risk of
- 4 collision, the boat which has the other on its
- 5 own port (left) side shall have the right of way
- 6 and shall hold course and speed. The boat which
- 7 has the other on its own starboard (right) side
- 8 shall keep out of the way of the other boat,
- 9 using whatever means are necessary to do so, and
- 10 avoid crossing ahead of the other boat.
- 11 f. Boats under way shall keep clear of boats at
- 12 anchor.
- 13 g. All motor boats shall use an effective muffler.
- 14 h. No boat shall be allowed to operate while
- 15 overloaded.
- 16 i. Any person loading or unloading a boat from a
- 17 single unit trailer shall clear the ramp of
- 18 boat, trailer and car as soon as possible.
- 19 j. All boats shall carry one life preserver jacket
- 20 or cushion for each person on board.
- 21 k. Gasoline tanks on inboard motor boats shall be
- 22 vented overboard, and carburetors on inboard
- 23 motors shall be equipped with flame arrestors.
- 24 l. During the staging of special events for the
- 25 benefit of the public, the law enforcement
- 26 officer or other park official or officer in
- 27 charge of such events shall have the authority
- 28 to clear the boat pit area of spectators and to
- 29 keep the race and ski courses clear of all
- 30 nonparticipating craft.
- 31 m. The use of airboats or hovercraft is prohibited
- 32 except by special permission of the director.
- 33 n. The director shall have the authority to

1 promulgate speed limits of boats that utilize
2 the waterways located within County parks and
3 these speed limits shall be subject to approval
4 by the Board of County Commissioners and upon
5 adoption by the Board of County Commissioners
6 shall be posted upon those lakes so designated.

7 (B) Public docks or shoreline or bank facilities are provided
8 in parks and recreation areas for dockage and other marine uses and
9 purposes, but shall be used only after arrangements have been made with
10 the department which shall assign space and collect rental charges in
11 accordance with established regulations and rates. Regulations and rules
12 governing conduct in reference to occupancy and use of docking and mooring
13 facilities are set forth on each permit and violation of the same will be
14 punishable by revocation of the permit in addition to any other
15 punishment that may be imposed in accordance with law. Boating permits
16 may be required by the department for specific boating activities in
17 County parks and violations of permit requirements shall result in
18 revocation of such permits.

19 (C) Permission to rent, hire, operate or forecharge any kind
20 of boat or watercraft, whether powered or not, on any park waters or from
21 any park dock, mooring or marina area, shall be reserved for the
22 department or operators licensed by the department. Any boat operating
23 for hire, or carrying passengers for money or contemplating same, before
24 docking or mooring or receiving such passengers at any dock, wharf or
25 landing place of anchorage in the park jurisdiction shall obtain a
26 license from the department. It shall be necessary for any person
27 operating passenger launches or excursion boats from within park waters
28 for rent or hire or carrying passengers for money who desire to maintain
29 a scheduled boat line to land, anchor or tie up at any park area to make
30 formal written application to the department. Upon receiving permission
31 to operate such boat lines or liveries, such permittee shall be subject to
32 all the rules and regulations governing the operation of boats in park
33 waters, including the inspection requirements of the department.

1 SECTION 9. WATER SKIING

2 (A) No person shall water ski in the waters of a County park
3 except in such places and at such landings as designated, and in
4 compliance with regulations as are now or may hereafter be adopted.

5 (B) No person shall water ski in such manner as to annoy,
6 frighten or endanger bystanders, swimmers, other skiers, or occupants of
7 other boats.

8 (C) No person shall obstruct the takeoff and landing areas
9 designated for water skiing for any purpose other than for normal water
10 skiing activities.

11 (D) No water skiing is permitted after sunset, except in areas
12 designated for such use.

13 SECTION 10. FISHING

14 (A) Commercial fishing, or the buying or selling of fish
15 caught in any park waters, is prohibited on County park property.

16 (B) Sport fishing will be allowed in all County park and
17 recreation area waters except where specifically prohibited.

18 (C) The use of a troll line for fishing purposes is expressly
19 forbidden in any park waters. Set cane poles are permitted if the
20 fisherman attends them.

21 SECTION 11. HUNTING AND FIREARMS

22 (A) Hunting, trapping or the pursuit of wildlife is prohibited
23 at all times everywhere in the parks. No person shall use firearms of
24 any description, or air rifles, spring guns, bows and arrows (except in
25 designated shooting or archery ranges) slings or other forms of weapons
26 potentially inimical to wildlife and dangerous to human safety, or any
27 instrument that can be loaded with and fire blank cartridges, or any kind
28 of trapping device in any park. Shooting into park areas from beyond
29 park boundaries is prohibited.

30 (B) No person shall at any time bring, or have in their
31 possession, or discharge anywhere, in any park area, any toy firearm, air
32 rifle, air gun, water gun, toy cannon, slingshot, bow and arrow, (except
33 in designated shooting or archery ranges), or any toy or instrument that
34 discharges projectiles either by air, elastic, explosive substance, or

1 any other force. Parents or guardians shall be held strictly responsible
2 and accountable for the actions of minors and shall be subject to
3 prosecution in accordance with law.

4 (C) All persons using department shooting and archery range
5 facilities shall abide by all regulations governing range activities.
6 Copies of such regulations shall be provided with each permit granted to
7 use such facilities.

8 SECTION 19. PICNIC AREAS AND USE

9 (A) Use of the individual fireplaces together with tables and
10 benches follows generally the rule of "first come, first served."

11 (B) No persons shall build, light or cause to be lighted any
12 fire upon the ground or beach or other object in any area without a
13 special permit from the director except in an approved grill, stove,
14 fireplace or other suitable container, nor shall any person starting a
15 fire leave the area without extinguishing the fire.

16 (C) No person shall use a grill or other device in such a
17 manner as to burn, char, mar or blemish any bench, table, or other object
18 of park property.

19 (D) To maintain cleanliness and order as well as to reduce
20 fire hazard, each picnic party shall see that its fire is completely
21 extinguished before leaving and that all trash such as boxes, papers,
22 cans, bottles, garbage and other refuse is placed in the disposal
23 receptacles where provided. If there are no such trash receptacles
24 available, then refuse shall be carried away from the park area to be
25 properly disposed of elsewhere.

26 (E) Certain designated picnic shelters and their associated
27 facilities may be used by reservation and such reservations must be
28 obtained in advance and must be for a specific time and duration.
29 Reservations for picnic shelters shall be subject to the provisions of
30 the permit to be granted by the director. Such facilities may be used by
31 the public during such periods of time that they are unreserved.

32 (B) All picnic functions to be financed on the premises by the
33 sale of tickets, acceptance of money, solicitation of donations or the
34 like to defray expenses or realize a profit, for charity or otherwise,

1 shall be prohibited unless otherwise authorized in writing by the
2 director.

3 SECTION 13. CAMPING

4 (A) Camping in the parks is to be confined to designated areas
5 and is only allowed upon receipt of a written permit for such use which
6 shall be obtained from the department. Such camping shall be confined to
7 tent camping, camper trailers and all other types of equipment now in use
8 or developed in the future for the specific use of camping. No house
9 trailers are to be admitted.

10 (B) A charge per night may be collected by the department at
11 the time of issuance of a camping permit, for each camping unit. Any such
12 charge is payable before any permit is issued. A charge per night may be
13 collected for each organized youth group with application for such permit
14 to be made by the group leader who will be in charge of the camping
15 group. No personal checks shall be accepted for payment of camping fees.

16 (C) Dogs are permitted within any camp area on leash
17 only. Owners shall be held completely responsible for the actions of
18 their dogs.

19 (D) The director shall be charged with the responsibility of
20 determining the policies and procedures of campground operations. Copies
21 of such policies and procedures shall be distributed with each permit
22 issued. Violation of such policies and procedures may result in the
23 revocation of a camping permit. The department shall determine the
24 necessary deposit in order to reserve appropriate campsites.

25 (E) Camping in permanent cabins constructed by the department
26 or in privately owned tents erected under department permit and used by
27 groups of persons under adequate supervision are the only types of
28 overnight camping that shall be allowed in the parks, hence the bringing
29 into a park and using for overnight occupancy any house trailer, camp
30 trailer, camp wagon or any other form of movable structure or special
31 vehicle, except in areas designated or permitted for that purpose by the
32 department, is prohibited.

33 SECTION 14. RECREATIONAL ACTIVITIES

34 (A) No person shall engage in recreational or other activities

1 other than those prescribed in certain areas set aside for such purposes,
2 for example, in areas set aside for boating, swimming is prohibited; and
3 in areas set aside for swimming, boating is prohibited.

4 (B) No person shall take part in the playing of any games
5 involving thrown or otherwise propelled objects such as balls, stones,
6 arrows, javelins or model airplanes except in such areas as are or may be
7 specifically set apart for such forms of recreation. The playing of
8 rough or dangerous games such as football, baseball and horseshoes is
9 prohibited except on the fields and courts or areas provided therefor.

10 SECTION 15. HORSEBACK RIDING

11 No person shall engage in horseback riding in any park or recreation
12 area other than those where provision therefor is made by clearly marked
13 bridle paths, trails, and other necessary features, and then only upon
14 thoroughly broken and properly restrained animals that are ridden with
15 care, prevented from grazing, straying unattended, untethered to any
16 rock, tree or shrub and not ridden or led on any park land other than
17 that so designated. All riders must carry proof of their horse's
18 negative coggins test.

19 SECTION 16. ANIMALS

20 (A) No animals shall be allowed in the parks at any time or
21 place except as may hereinafter be specifically provided. The director
22 has the authority to prohibit animals from any park area.

23 (B) Animals may be excluded from certain sections of county
24 parks, beaches and recreation areas, and shall be excluded from any place
25 where food or drinks are served, except within automobile parking areas
26 and walks immediately adjacent thereto, and in such other areas of said
27 parks, beaches or recreation areas as may be clearly posted. Nothing
28 herein contained, however, shall be construed as permitting the running
29 of animals at large. On the contrary, all animals in all portions of
30 County parks, beaches and recreation areas wherein animals are permitted
31 shall be restrained or kept at all times on adequate leashes not greater
32 than six (6) feet in length.

33 (C) Horses are forbidden except in specially designated areas
34 where horseback riding is permitted.

1 (D) Cattle, mules, horses, other than as provided in (C)
2 above, mules, swine, sheep, goats or fowl shall not be allowed upon park
3 property, and all owners or attendants of such animals are charged with
4 the duty of preventing such occurrences; but this prohibition does not
5 apply to animals and fowl kept by the department or under its direction.

6 (E) Pit Bull dogs are prohibited from all parks and recreation
7 areas. A "pit bull" dog is defined as that type of dog commonly referred
8 to as American Pit Bull dog, Bull Terrier dog, Staffordshire Terrier dog,
9 or any dog substantially similar to the above-mentioned dogs.

10 SECTION 17. ALCOHOLIC BEVERAGES

11 (A) The sale, purchase, consumption, and possession of
12 alcoholic beverages as defined in Section 561.01(4), Florida Statutes, is
13 hereby prohibited in all Palm Beach County parks except as specifically
14 provided in accordance with the provisions set forth herein.

15 (B) Notwithstanding the prohibition set forth in (A) above,
16 the possession of alcoholic beverages in sealed original packages in any
17 vehicle, vessel or conveyance for purposes of storing or transporting
18 such and not for purposes of selling or consuming such in a Palm Beach
19 County park shall not be violative of this ordinance.

20 (C) The director may designate specific areas in which
21 alcoholic beverages may be possessed and/or consumed. Said areas may
22 include, but are not exclusive to, family picnic areas, areas reserved
23 for large-group picnics, and facilities for food service. In determining
24 whether an area should be designated for the consumption of alcoholic
25 beverages or whether a designation should remain, the director may
26 consider, among other factors, the general use of the area under
27 consideration and nearby areas, the hours during which the park is open,
28 the conduct of persons utilizing the area so designated or under
29 consideration for designation, and nearby areas, and the anticipated
30 conduct of persons who are anticipated to use, or are using, the areas so
31 designated or under consideration for designation. The Board of County
32 Commissioners may reverse or amend the decision of the director as it
33 deems appropriate. Kegs of beer or other alcoholic malt beverages shall
34 be allowed only in reserved picnic areas and only with a permit issued by
35 the department.

1 (D) The director may permit, in writing, the sale, possession,
2 and/or consumption of alcoholic beverages incidental to a special event.
3 Said permission may not exceed two days. In determining whether the
4 sale, possession, and/or consumption of alcoholic beverages should be
5 permitted, the director may consider, among other factors, the nature of
6 the event, the anticipated number, age and/or conduct of persons
7 attending the event, the day(s) and/or time(s) of the event, uses of
8 areas near the special event, and the anticipated impact the sale,
9 possession, and/or consumption of alcoholic beverages would have on the
10 park, its uses, and the special event. The Board of County Commissioners
11 may reverse or amend the decision of the director as it deems
12 appropriate.

13 (E) The Board of County Commissioners may permit the sale of
14 alcoholic beverages by private entrepreneurs who develop and/or operate
15 facilities upon premises leased from the County within a County park for
16 food service, performing arts, golf courses, and other facilities, as the
17 Board of County Commissioners deems appropriate. Such requests shall be
18 directed to the Board of County Commissioners for consideration on an
19 individual, case-by-case basis and approval may be granted, if at all,
20 only be formal Board action. The Board action shall set forth the type
21 of alcoholic beverages which may be sold, the area in which the sale may
22 occur, the area in which the alcoholic beverage may be possessed and
23 consumed, and the hours and days during which the sale, possession,
24 and/or consumption is permitted. The Board action may set forth other
25 terms and conditions as the Board of County Commissioners deems
26 appropriate. The Board of County Commissioners may, at its discretion,
27 revoke or condition said approval, either temporarily or permanently.

28 (F) The County may, at its option, obtain in its name the
29 necessary State licensing for the sale of alcoholic beverages. The
30 lessee for whose benefit the license is held shall be responsible for all
31 costs associated with obtaining and renewing such license. The County
32 may, at its option, have such license transferred to the lessee's name;
33 provided, however, that such licensing shall immediately revert to the
34 County upon termination, for any reason, of the lessee's lease with the

1 County. The license holder shall take all action and execute all
2 documents necessary to effect transfer to the County.

3 (G) The permission granted under this ordinance shall be
4 subject to all ordinances, laws, rules and regulations applicable in Palm
5 Beach County, and any grantee shall be responsible for compliance
6 thereto. The permission granted may also be subject to, and granted
7 with, specified conditions; and the grantee shall be responsible for
8 insuring compliance thereto. Said conditions may include, but are not
9 limited to, restrictions as to: the type of alcoholic beverages sold,
10 possessed, and/or consumed; the type or size of containers; crowd size;
11 other activities; areas for sale, possession, or consumption; times
12 and/or days; and conduct of individuals bringing alcoholic beverages to
13 the area.

14 (H) No intoxicated person shall enter, be or remain in any
15 park, and any such person so found in a park in a drunken condition may
16 be ejected therefrom.

17 SECTION 18. FIREWORKS AND EXPLOSIVES

18 (A) No person shall bring into, or have in his possession, or
19 set off or otherwise cause to explode or discharge or burn in, any park
20 area or on any public lands or highways adjacent thereto, any
21 firecrackers, torpedos, rockets or other fireworks or explosives of
22 inflammable material, or discharge them or throw them into any such area
23 from land or highway adjacent thereto. This prohibition includes any
24 substance, compound, mixture or article that in conjunction with any
25 other substance or compound would be dangerous from any of the foregoing
26 standpoints. Parents or guardians shall be held strictly responsible and
27 accountable for the actions of minors and will be subject to prosecution
28 accordingly.

29 (B) The director may permit responsible organizations and
30 entities to conduct fireworks displays within Palm Beach County parks,
31 subject to full compliance with Palm Beach County Ordinances 82-2 and
32 85-16, or the ordinances of any municipality having jurisdiction to
33 regulate said fireworks display, upon application by said responsible
34 organization or entity. The possession of fireworks within Palm Beach

1 County parks in conjunction with a fireworks display pursuant to this
2 section shall not be deemed to violate any other provision of this
3 ordinance.

4 SECTION 19. PUBLIC DEMONSTRATIONS AND GATHERINGS

5 (A) No person or persons or representatives of any political
6 party, social club or society, office aspirant, religious sect,
7 theatrical or circus group, or other public exhibition, shall hold or
8 attempt to hold any meetings, make any speeches, perform any act or
9 ceremony, hold any parade or drill without written permission from the
10 director. Such permit shall define clearly the nature of the activity
11 and limit its scope and time, and define any other restrictions.

12 (B) No person shall perform acrobatic acts or feats, dances or
13 gyrations or make any display or exhibit or carry on any performance of
14 doing anything that will cause numbers of persons to congregate so as to
15 cause the interference or obstruction to traffic or to other proper use
16 of a park or recreational area.

17 (C) No person shall hold, conduct or address any assembly,
18 meeting or gathering of persons, or make or deliver any public speech,
19 lecture or discourse, or take part in any public debate or discussion in
20 any park without a written permit from the director.

21 SECTION 20. MERCHANDISING, ADVERTISING AND SIGNS

22 (A) No person, persons, organization or firm other than the
23 department, regularly licensed concessionaires acting by and under the
24 authority of Palm Beach County, or groups with special event permits may
25 expose or offer for sale, rent or trade, any article or thing, or station
26 or place any stand, cart, or vehicle, for the transportation, sale or
27 display of any article, merchandise or service within or adjacent to the
28 limits of any park or recreation area.

29 (B) No person shall use the park drives or parkways or enter
30 any park area for the purpose of announcing, displaying and advertising
31 or calling attention to any person, political party, religious
32 institution, or meetings or assemblies thereof, or for the purpose of
33 demonstrating, advertising or calling attention to any article or service
34 for sale or for hire, nor shall any signs, slogans, loud speakers or

1 advertising display of any nature whatsoever be used for such purposes;
2 no person shall place or station on any public land or highway adjacent
3 to any park any vehicle whatsoever displaying any such advertising or
4 used for such purposes as hereinbefore mentioned, unless a special event
5 permit specifically allows such activity.

6 (C) No person shall display, distribute, post or fix any
7 handbill, pamphlet, circular, placard or any other printed matter
8 containing advertising of any type within any park area or upon any
9 public land or highway or road adjacent thereto. Exception is made as to
10 programs describing authorized concerts, entertainments, public
11 gatherings or permitted special events and as to authorized signs located
12 entirely within concession rooms or structures.

13 (D) No person shall drive or park or station on any park road
14 or parkway or parking lot any vehicle displaying a sign or notice that it
15 is for sale or exchange, or otherwise display advertising.

16 SECTION 21. SPECIAL EVENTS

17 A permit for special events sponsored by non-profit organizations must be
18 obtained prior to conducting the event. The director may grant
19 permission to advertise and merchandise in connection with special
20 events. Organizations sponsoring special events must comply with all
21 policies and procedures relating to special events as established by the
22 department.

23 SECTION 22. PERMITS

24 (A) A permitting system may be developed for any specific
25 activity that may take place in the parks. The adoption of such
26 permitting systems and related rules and regulations may be instituted by
27 the director. Violations of permit requirements shall result in the
28 revocation of such permit.

29 (B) Commercial activities which negatively impact the
30 operation of any County park are prohibited unless a permit has been
31 granted by the department. For purposes of this section, negative
32 impact shall include areas of park operation such as parking, internal
33 traffic, safety and trash.

1 SECTION 23. ALMS, CONTRIBUTIONS AND PETITIONS

2 No person shall solicit alms or contributions for any purpose, whether
3 public or private, upon any park property.

4 SECTION 24. RESTROOM AND BATH FACILITIES

5 No person over the age of seven (7) years shall enter or use
6 restroom or bath facilities designated for the use of the opposite sex.
7 No person shall loiter in or around any restroom, dressing room or bath
8 house.

9 SECTION 25. NOISE

10 No person shall make such loud, excessive, unnecessary noise so as to
11 create a nuisance in any County park. Noise shall be considered a
12 nuisance where it produces actual physical discomfort and annoyance to
13 persons of ordinary sensibilities.

14 SECTION 26. AIRCRAFT

15 No person operating, directing or responsible for any airplane,
16 helicopter, glider, balloon, dirigible, parachute or other aerial
17 apparatus shall take off from or land in or on any park land or waterway,
18 except in emergency law enforcement situations or when written permission
19 has been obtained from the director.

20 SECTION 27. POLLUTION OF WATERS

21 No person shall throw, discharge, or otherwise place or cause to be
22 placed in the waters of any fountain, pond, lake, stream, bay or other
23 body of water in or adjacent to any park or any tributary, stream, storm
24 sewer, or drain flowing into such waters, any substance, matter or thing,
25 liquid or solid, which will or may result in the pollution of said
26 waters.

27 SECTION 28. REFUSE AND TRASH

28 No person or agent, servant, employee or minor responsible to such person
29 shall take into, dump or deposit on land of, or leave in, any park or any
30 highway, road or street abutting such park, any bottles, broken glass,
31 ashes, paper, boxes, cans, dirt, rubbish, waste, garbage or refuse or
32 other trash. No such refuse or trash shall be placed in any waters in or
33 contiguous to any park, or left anywhere on the grounds thereof, but
34 shall be placed in the proper receptacles where these are provided; where

receptacles are not provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere.

SECTION 29. PUBLIC UTILITIES

Public utilities serving park areas or traversing park areas and serving adjacent lands shall be subject to such reasonable regulations as may be hereafter adopted in the public interest, to protect County parks from unsightly and inconveniently located fixtures, installations and facilities.

SECTION 30. PARK HOURS

(A) Except for unusual and unforeseen emergencies and twenty-four (24) hour boat launching, fishing and camping areas, all parks shall be open to the public every day of the year during hours designated by the director. The opening and closing hours shall be posted at each park in order to give notice to the public.

(B) The director, acting as agent of the Board of County Commissioners, may declare any section or part of any park closed to the public at any time and for any interval of time, either temporarily or at regular and stated intervals (daily or otherwise) and either entirely or merely to certain uses, as public interest demands. This applies particularly to night use of the park areas when and where control becomes difficult. Permit for special night use of any park area may be granted to any group of persons deemed responsible by the director.

(C) No unauthorized person shall be or remain in any part of any park which is fenced in or provided with gates between the closing of the gates at night and their re-opening on the following day. No person shall be or remain in any park not fenced in or provided with gates at any hours other than those hours posted at the entrance to the park.

(D) No person shall enter upon any part of any park which is in an unfinished state or under construction or withheld from general public usage in the interest of public safety, health and/or welfare.

SECTION 31. ENFORCEMENT

(A) It shall be the duty and responsibility of all law enforcement officials within their jurisdiction to enforce all State

1 laws, municipal ordinances, County ordinances, and County traffic
2 regulations within the limits of all parks and other areas maintained and
3 operated by the department.

4 (B) It shall be the duty and responsibility of law enforcement
5 officers and designated department employees to enforce all park rules.
6 It shall be unlawful for any person to do any act forbidden or fail to
7 perform any act required by these rules or for any person to fail to
8 comply with any lawful and reasonable order given by law enforcement
9 officers or authorized department officials.

10 (C) It shall be the duty and responsibility of law enforcement
11 officers and authorized department officials to enforce all provisions of
12 permits issued by the department. It shall be unlawful for any person to
13 do any act forbidden or fail to perform any act required by any permit
14 issued by the department. Copies of regulations pertaining to an
15 activity and/or facility may be furnished with each permit issued.
16 Permits may be required relating to camping, picnicking, kegs of beer,
17 boating, water skiing, shooting and archery, fireworks, special events,
18 aircraft, public gatherings, merchandising, solicitation, petitions, and
19 any other activities or facilities as the department deems necessary.
20 Fees may be charged for any permits issued by the department.

21 SECTION 32. PENALTIES

22 Any person violating any of the provisions of this ordinance, if not
23 otherwise provided, shall upon conviction thereof be punished in
24 accordance with the general laws of the State of Florida relating to
25 punishment for misdemeanors, including but not limited to up to sixty
26 (60) days imprisonment and/or a fine of up to \$500.00 dollars. Each
27 violation shall constitute a separate offense and shall be punishable as
28 such.

29 SECTION 33. REPEAL OF ORDINANCE NOS. 76-9, 82-11, 83-12 AND 84-7

30 Ordinance Nos. 76-9, 82-11, 83-12 and 84-7 are hereby repealed in their
31 entirety.

32 SECTION 34. REPEAL OF LAWS IN CONFLICT

33 All local laws and ordinances applying to the unincorporated area of Palm
34 Beach County in conflict with any provisions of this ordinance are hereby
35 repealed.

1 SECTION 35. SEVERABILITY

2 If any section, paragraph, sentence, clause, phrase, or word of this
3 ordinance is for any reason held by a court of competent jurisdiction to
4 be unconstitutional, inoperative or void, such holding shall not affect
5 the remainder of this ordinance.

6 SECTION 36. INCLUSION IN THE CODE OF LAWS AND ORDINANCES

7 The provisions of this ordinance shall become and be made a part of the
8 code of laws and ordinances of Palm Beach County, Florida. The Sections
9 of the ordinance may be renumbered or relettered to accomplish such, and
10 the word "ordinance" may be changed to "section," "article," or any other
11 appropriate word.

12 SECTION 37. EFFECTIVE DATE

13 The provisions of this ordinance shall become effective upon receipt from
14 the Florida Department of State of official acknowledgment that this
15 ordinance has been filed with the Department of State.

16 APPROVED AND ADOPTED by the Board of County Commissioners of
17 Palm Beach County, Florida, on the 19th day of December, 1989.

18 PALM BEACH COUNTY, FLORIDA, BY ITS
19 BOARD OF COUNTY COMMISSIONERS

20 By Carol El

21
22 APPROVED AS TO FORM AND
23 LEGAL SUFFICIENCY

24 [Signature]
25 County Attorney

20
21
22
23
24
25
JOHN B. DUNKLE, Clerk
Board of County Commissioners
By [Signature]
DEPUTY CLERK

26 Acknowledgement by the Department of State of the State of
27 Florida, on this, the 27th day of December, 1989.

28 EFFECTIVE DATE: Acknowledgement from the Department of State
29 received on the 2nd day of January, 1990, at 4:06
30 P.M., and filed in the Office of the Clerk of the Board of County
31 Commissioners of Palm Beach County, Florida.

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, JOHN B. DUNKLE, Clerk of the
Board of County Commissioners certify this to
be a true and correct copy of the original filed in
my office on 12/19/89
DATED at West Palm Beach, FL on 12/15/90
JOHN B. DUNKLE, Clerk
By: [Signature]
Deputy Clerk